

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

CHRIS LATROY GUNN,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:20cv486-MHT
	)	(WO)
NURSE TALLEY, et al.,	)	
	)	
Defendants.	)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit complaining that the defendant correctional healthcare providers ignored his serious back injury, refused to allow him to use a wheelchair until he saw a mental-health provider, and falsely claimed that he had been provided a wheelchair during that time.\* This lawsuit is now before the court on the recommendation of the United States Magistrate

---

\* Records submitted by the defendants show that the Director of Nursing, Kelly Rice, believed he was malingering. See Attachment to Borowicz Declaration (Doc. 13-1) at 31-32. After he began experiencing extreme weakening in his limbs, he was diagnosed with a serious condition and received emergency back surgery.

Judge that plaintiff's case be dismissed without prejudice for failure to follow court orders. There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 27th day of December, 2022.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE